

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1480—Filed, July 29, 1936; 12:44 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

IN THE MATTER OF SOUTHWEST ROYALTIES COMPANY OFFERING SHEET OF A ROYALTY INTEREST IN KANOKA-GIFFIN FARM

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Southwest Royalties Company on the 22nd day of July 1936, covering a certain royalty interest in the property described therein as Kanoka-Giffin Farm is incomplete or inaccurate in the following material respects, to wit:

1. In that in the comparison in Division III the oil recovery per well in the Welch Pool is misstated.
2. In that a per well rather than per acre basis is made in comparison in Division III.
3. In that Division III omits other factors considered necessary such as the comparative well spacing in the tracts compared.
4. In that no consideration has been given in the comparison in Division III to the reduction of rock pressure.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 27th day of August 1936; that an opportunity for hearing be given to the said Southwest Royalties Company for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 12th day of August 1936, at 11:00 o'clock in the forenoon of that day, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1481—Filed, July 29, 1936; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

Vol. I—pt. 1—37—58

IN THE MATTER OF H. F. WILCOX OFFERING SHEET OF A WORKING INTEREST IN GILLIAM #1 FARM
SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe and therefore alleging, that the offering sheet filed by H. F. Wilcox on the 22nd day of July 1936, covering certain working interests in the property described therein as Gilliam #1 Farm is incomplete or inaccurate in the following material respects, to wit:

1. In that the answer to Item 7, Division II, does not disclose what proportion of the entire lessee's working interest will be retained or held by the offeror and his affiliates, and what proportion thereof is offered for sale.

2. In that Item 12, Paragraph 3, Division II, speaks of "known producing horizons to be tested by this well."

3. In that Item 24(a), Division II, has not been answered. It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 27th day of August 1936; that an opportunity for hearing be given to the said H. F. Wilcox for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 12th day of August 1936, at 1:00 o'clock in the afternoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1479—Filed, July 23, 1936; 12:44 p. m.]

Friday, July 31, 1936

No. 100

DEPARTMENT OF THE INTERIOR.

Petroleum Conservation Division.

ORDER No. 4 (a) UNDER ACT OF FEBRUARY 22, 1935

July 16, 1936.

By virtue of and pursuant to the authority in the Act of Congress entitled "An Act To regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", approved February 22, 1935 (49 Stat. 30), and Executive Order of the President of the United States, No. 6979 (February 28, 1935), and with the approval of the President of the United States I hereby order that:

1. In the event of unavoidable absence of the Chairman or Member of Federal Tender Board No. 1, the Director of Federal Petroleum Agency No. 1 shall act as a member of said Board and perform such duties as are assigned to said Board.

2. In the event of unavoidable absence of the Director of Federal Petroleum Agency No. 1, the Chairman or Member of Federal Tender Board No. 1 shall direct said Agency in the exercise of the duties and functions assigned to said Agency.

This Order is to be construed as requiring that all official actions of Federal Tender Board No. 1 shall be based upon the findings of the Chairman and Member, or the Chairman or Member and the Director.

Approved, prescribed, and promulgated this 16th day of July 1936.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 1491—Filed, July 30, 1936; 10:14 a. m.]

DEPARTMENT OF LABOR.

Immigration and Naturalization Service.

[General Order No. 233]

AMENDMENT OF THE IMMIGRATION RULES OF JANUARY 1, 1930, AS AMENDED

DETENTION AND DEPORTATION OF ALIEN SEAMEN—NOTICE OF LIABILITY TO FINE

JULY 29, 1936.

Pursuant to the authority conferred by Section 23 of the Immigration Act of 1917 (Act of February 5, 1917, 39 Stat. 892; U. S. C., Ti. 8, Sec. 102), Section 24 of the Immigration Act of 1924 (Act of May 26, 1924, 43 Stat. 166; U. S. C., Ti. 8, Sec. 222), and Executive Order No. 6166, dated June 10, 1933, the following amendments are made to the Immigration Rules of January 1, 1930, as amended:

Paragraphs 1 and 2, Subdivision H, Rule 7, are amended to read as follows:

PARAGRAPH 1. The owner, charterer, agent, consignee, or master of any vessel arriving in the United States from any place outside thereof shall detain on board of such vessel all alien seamen employed thereon pending the inspection and examination of such alien seamen by the proper immigration and naturalization official. For the purposes of such inspection and examination, the owner, charterer, agent, consignee, or master of such vessel may be required by such immigration and naturalization official to muster all aliens employed thereon. The failure or refusal of the owner, charterer, agent, consignee, or master of such vessel to detain any such alien seaman on board until such seaman has been inspected and examined shall be deemed a violation of section 20 of the immigration act of 1924.

PAR. 2. Where, for any cause, the immigration and naturalization official in charge at any port of arrival finds that any alien employed on board any vessel arriving in the United States from any place outside thereof should be detained on such vessel or deported, he shall forthwith serve or cause to be served on the owner, charterer, agent, consignee, or master of such vessel a notice in writing to detain or deport such alien. The notice shall set forth the full name of such alien. In every such case an officer of the Immigration and Naturalization Service shall be detailed to verify the departure of such alien.

Subdivision B, Rule 23, is amended to read as follows:

PARAGRAPH 1. When the ascertained facts indicate that the owner, charterer, agent, consignee, or master of any vessel arriving in the United States from any place outside thereof has failed to detain on board such vessel all alien seamen employed thereon pending the inspection and examination of such alien seamen by the proper immigration and naturalization official, including the muster of all aliens employed thereon as required by the proper immigration and naturalization official, notice to the effect that the ascertained facts indicate that a fine should be imposed under section 20 of the immigration act of 1924 shall be served promptly upon the owner, charterer, agent, consignee, or master of the vessel and that he will be allowed 60 days from the date of service of the notice within which to submit evidence and be heard in reference to the matter. In the meantime the vessel involved, which is the subject of fine proceedings, will be granted clearance papers if there be deposited with the collector of customs, prior to the time of sailing, a sum equal to the fine specified in the said notice, or, where permitted by the act of May 26, 1924, a bond with sufficient surety approved by the collector of customs, as security for the payment of the fine in the event it should be imposed.

PAR. 2. When the ascertained facts indicate that the owner, charterer, agent, consignee, or master of any vessel arriving in the United States from any place outside thereof has failed or refused to detain or deport any alien seamen as required by the proper immigration official, the immigration and naturalization official in charge shall forthwith serve or cause to be served upon such owner, charterer, agent, consignee, or master a notice in writing to the

effect that the ascertained facts indicate that the fine provided for by section 20 of the immigration act of 1924 should be imposed for each alien in respect of whom such failure or refusal occurs; and that he will be allowed 60 days from the date of service of the notice within which to submit evidence and be heard in reference to the matter. In every case this notice shall be served upon the same party as was the notice to detain or deport. In the meantime the vessel involved, which is the subject of fine proceedings, will be granted clearance papers if there be deposited with the collector of customs, prior to the time of sailing, a sum equal to the fine specified in the said notice, or, where permitted by the act of May 26, 1924, a bond with sufficient surety approved by the collector of customs, as security for the payment of the fine in the event it should be imposed.

PAR. 3. When the facts indicate that a fine should be imposed in cases other than those stated in paragraphs 1 and 2 of this subdivision, the immigration and naturalization officer in charge shall serve promptly upon the owner, charterer, agent, consignee, or master of the vessel a notice to the effect that the ascertained facts indicate that a fine should be imposed under the section of law involved in the particular case; that he will be allowed 60 days from the date of service of the notice within which to submit evidence and be heard in reference to the matter. In the meantime the vessel involved, which is the subject of fine proceedings, will be granted clearance papers if there be deposited with the collector of customs, prior to the time of sailing, a sum equal to the fine specified in the said notice, or, where permitted by the act of May 26, 1924, a bond with sufficient surety approved by the collector of customs, as security for the payment of the fine in the event it should be imposed; also, in cases arising under section 9 of the act of February 5, 1917, as amended by the immigration act of 1924, or under section 16 of the immigration act of 1924, an additional sum equal to that paid by the alien involved for his transportation to this country from the initial point of departure, such additional sum to be held by the collector of customs as a special deposit and to be delivered to the deported alien through the American consul, if fine is imposed. When such alien is accompanied by another alien who is excluded from admission a further sum equal to that paid by such accompanying alien for his transportation to this country from the initial point of departure shall be deposited with the collector of customs and delivered to the accompanying alien when deportation is effected.

PAR. 4. Such notices shall be prepared in quadruplicate. The original shall be served on the master, agent, owner, or consignee of the vessel by (a) delivering it to him in person, or (b) leaving it at his office, or (c) mailing it to him, whenever the immigration and naturalization officer in charge finds the other methods of service inconvenient. When service is made by delivery it shall be admitted in writing upon the duplicate and triplicate and the admission witnessed by the server. If admission be refused, or, in case of service by either of the other methods, the server shall note the method and date of service on the duplicate and triplicate. The duplicate shall be retained by the immigration and naturalization officer in charge. The triplicate shall be delivered to the collector of customs for the district wherein the port of arrival is located, who shall withhold clearance papers until deposit is made or bond furnished as required in this subdivision. The quadruplicate shall be forwarded to the Central Office when the matter of fine is presented for departmental consideration.

[SEAL]

D. W. MACCORMACK, *Commissioner.*

Approved:

CHARLES O. GREGORY,
Acting Secretary.

[F. R. Doc. 1492—Filed, July 30, 1936; 10:56 a. m.]

FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

[IT-5450-M]

NOTICE OF HEARING

NEW HAMPSHIRE POWER COMPANY

The following order was adopted:

The New Hampshire Power Company, a New Hampshire corporation with principal business office at Manchester, New Hampshire, having filed on July 16, 1936, an application under Section 203, Part II of the Federal Power Act for approval by the Federal Power Commission of the disposition of all of its facilities, properties, and other assets to Public Service Company of New Hampshire upon terms and conditions as set out therein;

It is ordered:

That a hearing be held on the above application on August 6, 1936, at 10 a. m., in the hearing room of the Federal Power

Commission, 8th floor, Carpenters Building, 1003 K Street Northwest, Washington, D. C.

Adopted by the Commission on July 29, 1936.

[SEAL]

LEON M. FUQUAY, *Acting Secretary*.

[F. R. Doc. 1490—Filed, July 30, 1936; 9:25 a. m.]

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

[IT-5451-S]

NOTICE OF HEARING

TENNESSEE ELECTRIC POWER COMPANY

The following order was adopted:

The Tennessee Electric Power Company, organized under the laws of the State of Maryland, and having its principal business office in the City of Chattanooga, Tennessee, having filed on July 21, 1936, an application under Section 204, Part II, of the Federal Power Act, for the authority to issue and sell \$3,000,000 principal amount of its First and Refunding Mortgage Gold Bonds, 5% Series, due June 1, 1956, for the purpose of applying the proceeds thereof toward the reimbursement of unfunded capital expenditures, and for the authority to issue and sell \$1,728,500 principal amount of its First and Refunding Mortgage Gold Bonds, 5% Series, due June 1, 1956, for the purpose of refunding a like principal amount of underlying bonds retired by sinking fund operations:

It is ordered:

That a hearing be held on the above application on August 13, 1936, at 10 a. m., in the hearing room of the Federal Power Commission, 8th floor, Carpenters Building, 1003 K Street Northwest, Washington, D. C.

Adopted by the Commission on July 29, 1936.

[SEAL]

LEON M. FUQUAY, *Acting Secretary*.

[F. R. Doc. 1489—Filed, July 30, 1936; 9:25 a. m.]

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

[IT-5382-M]

ORDER SETTING HEARING AND DESIGNATING PUBLIC SERVICE COMMISSION OF VERMONT TO HOLD HEARING

It appearing to the Commission:

(1) That Stamford Light, Heat and Power Company and Green Mountain Power Corporation having filed an application under Section 203 of the Federal Power Act for approval of the merger of the whole of the facilities of the former company with the facilities of the latter company;

(2) That the Federal Power Commission deeming it desirable to refer the matter to a board for hearing, pursuant to the provisions of Section 209 of the Federal Power Act, requested the Public Service Commission of Vermont to nominate a person or persons for such purposes, and said Commission having nominated itself:

Therefore, it is ordered:

(a) That the Public Service Commission of Vermont be and it is hereby designated as a board to preside at and conduct the hearing upon said application with authority to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material, and to perform all other duties in connection with said hearing authorized by the Federal Power Act; that stenographic notes of said hearing shall be taken, reduced to writing, and one copy thereof filed with the Federal Power Commission; that any traveling expenses incurred by the board in conducting said hearing, and the cost of one copy of the transcript of the record, shall be borne by the Federal Power Commission; that upon completion of the testimony

in said matter, the board is directed to close the hearing, fix the time and place for filing briefs, if necessary or desirable, and make its report and recommendations to the Commission;

(b) That said hearing be held on August 20, 1936, at 9 a. m. Standard Time, in the office of the Public Service Commission of Vermont, at Montpelier, Vermont.

Adopted by the Commission on July 28, 1936.

[SEAL]

LEON M. FUQUAY, *Acting Secretary*.

[F. R. Doc. 1483—Filed, July 30, 1936; 9:23 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of July A. D. 1936.

[Filed July 11, 1936]

IN THE MATTER OF W. R. BROWN & Co., Inc., OFFERING SHEET OF A ROYALTY INTEREST IN SHELL-WEBER FARM

ORDER TERMINATING PROCEEDING (UNDER RULE 340) THROUGH AMENDMENT

The Securities and Exchange Commission finding that the amendments to the offering sheet which is the subject of this proceeding filed with the said Commission are so far as necessary in accordance with the suspension order previously entered in this proceeding:

It is ordered that the amendment dated July 27, 1936, and received at the office of the Commission on July 28, 1936, to Division II of the said offering sheet be effective as of July 28, 1936; and

It is further ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner entered in this proceeding on July 18, 1936, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1497—Filed, July 30, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of July A. D. 1936.

[Filed on July 1, 1936]

IN THE MATTER OF E. FRIEDMAN DOING BUSINESS AS THE ROLES COMPANY, OFFERING SHEET OF A ROYALTY INTEREST IN CONTINENTAL-YOUNG FARM

ORDER TERMINATING PROCEEDING (UNDER RULE 340) THROUGH AMENDMENT

The Securities and Exchange Commission finding that amendments to the offering sheet which is the subject of this proceeding filed with the said Commission are so far as necessary in accordance with the suspension order previously entered in this proceeding;

It is ordered, that the second amendment dated July 27, 1936, and received at the office of the Commission on July 27, 1936, to Division III of the said offering sheet be effective as of July 27, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner entered in this proceeding on July 2, 1936, be, and the same hereby are revoked, and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1495—Filed, July 30, 1936; 12:48 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of July A. D. 1936.

[Filed on July 16, 1936]

IN THE MATTER OF W. E. HOUSEL, OFFERING SHEET OF A WORKING INTEREST IN W. H. BARRETT FARM

ORDER TERMINATING PROCEEDING (UNDER RULE 340) THROUGH AMENDMENT

The Securities and Exchange Commission finding that amendments to the offering sheet which is the subject of this proceeding filed with the said Commission are so far as necessary in accordance with the suspension order previously entered in this proceeding:

It is ordered that the amendments dated July 24, 1936, and received at the office of the Commission on July 25, 1936, to Division II of the said offering sheet be effective as of July 25, 1936; and

It is further ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner entered in this proceeding on July 21, 1936, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1496—Filed, July 30, 1936; 12:48 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of July A. D. 1936.

IN THE MATTER OF THOMAS H. ARDEN, OFFERING SHEET OF A ROYALTY INTEREST IN SLICK-URSCHEL-MCGREW FARM

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Thomas H. Arden on the 23rd day of July 1936, covering a certain royalty interest in the property described therein as Slick-Urschel-McGrew Farm is incomplete or inaccurate in the following material respects, to wit:

1. In that the date shown on page 1, Division I, as to when the information will be out of date is miscalculated.
2. In that the answer to Item 3, Division III, omits to state reasons for the use of each particular factor in combination with each of the other factors in the particular tract.
3. In that it is not shown how each factor used in volumetric calculation in Item 3, Division III, was determined for the particular tract.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 28th day of August 1936; that an opportunity for hearing be given to the said Thomas H. Arden for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the

production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 13th day of August 1936, at 10 o'clock in the forenoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1493—Filed, July 30, 1936; 12:47 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of July A. D. 1936.

IN THE MATTER OF CHESTER IMES, OFFERING SHEET OF A ROYALTY INTEREST IN BLACKSTOCK ET AL. MOODY

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Chester Imes on the 23rd day of July 1936, covering a certain royalty interest in the property described therein as Blackstock et al. Moody is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 15, Division II, does not compare with Item 16 (a).
2. In that Item 16 (c), Division II, does not compare with Item 16 (d).
3. In that Item 6, Division III, was not prepared at the instance of the offerer.
4. In that Item 3, Division III, uses certain factors as to porosity, saturation, recovery, and sand thickness in combination with relation to the formations discussed which are believed not to be reliable.
5. In that no consideration has been given in Division III to the volumetric shrinkage due to the liberation of gas in solution.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 28th day of August 1936; that an opportunity for hearing be given to the said Chester Imes for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding begin on the 13th day of August 1936, at 11:00 o'clock in the forenoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsyl-

vania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1494—Filed, July 30, 1936; 12:47 p. m.]

Saturday, August 1, 1936

No. 101

PRESIDENT OF THE UNITED STATES.

CROATAN NATIONAL FOREST—NORTH CAROLINA

By the President of the United States of America

A PROCLAMATION

WHEREAS certain forest lands within the State of North Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Croatan National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Croatan National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Croatan National Forest:

Beginning at the confluence of Brices Creek and Trent River about two miles south of New Bern in the State of North Carolina; thence southerly up Brices Creek to the confluence with Lees Branch; thence up Lees Branch about one mile to where the Rockwell line leaves it northward; thence with the Rockwell line northerly about $\frac{3}{4}$ mile; thence with the Rockwell line easterly to the Norfolk Southern Railway; thence with the Norfolk Southern Railway southeasterly about $1\frac{1}{2}$ miles to where road crosses leading to Camp KI-RO; thence with the road leading to Camp KI-RO northeasterly and continuing a straight course about one mile to Neuse River; thence down the right bank of Neuse River about 15 miles to the mouth of Clubfoot Creek; thence with Clubfoot Creek, the Old Inland Waterway and Harlowe Creek to Newport River; thence up the left bank of Newport River about 10 miles to State Highway No. 10; thence with said Highway southeasterly about 3 miles to the road leading to Catholic Orphanage Camp; thence along said road southward about $\frac{3}{4}$ mile to State Highway No. 24; thence with said Highway westward about 16 miles to White Oak River; thence up the left bank of White Oak River about 25 miles to State Highway No. 30; thence with said Highway northeasterly about $9\frac{1}{2}$ miles to Trent River; thence down the right bank of Trent River about 14 miles to the place of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.¹

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

¹ See p. 910.

DONE at the City of Washington this 29th day of July, in the year of our Lord nineteen hundred and thirty-six [SEAL] and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2192]

[F. R. Doc. 1501—Filed, July 31, 1936; 11:01 a. m.]

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4671]

REFUNDS UNDER CERTAIN PROVISIONS OF THE AGRICULTURAL ADJUSTMENT ACT, AS AMENDED, AS REENACTED BY THE REVENUE ACT OF 1936

ARTICLE 2 (A) OF TREASURY DECISION 4486 AND ARTICLES 3 AND 10 OF REGULATIONS 83, AMENDED

To Collectors of Internal Revenue and Others Concerned:

PAR. A. Section 601 of the Revenue Act of 1936^{*} provides in part:

(a) The provisions of sections 10 (d), 15 (a), 15 (c), 16 (e) (1), 16 (e) (3), and 17 (a) of the Agricultural Adjustment Act, as amended, are hereby reenacted but only for the purpose of allowing refunds in accordance therewith in cases where the delivery for charitable distribution or use, or the exportation, or the manufacture of large cotton bags, or the decrease in the rate of the processing tax (or its equivalent under section 16 (e) (3)) took place prior to January 6, 1936.

(b) Except for refunds under section 15 (a) of the Agricultural Adjustment Act, as reenacted herein, no refund under this section shall be made to the processor or other person who paid or was liable for the tax with respect to the articles on which the claim is based. No refund under this section shall be allowable to any person with respect to any articles where such person prior to January 6, 1936, paid an amount as tax under the Agricultural Adjustment Act, as amended, by taking as a credit against such amount an amount otherwise allowable as a refund with respect to such articles under sections 15 (a), 15 (c), 16 (e) (1), 16 (e) (3), or 17 (a) of said Act. No refund under this section shall be allowed to any person except to the extent that he establishes that he has not received, and is not entitled to receive, reimbursement of such amount from the processor or other vendor with respect to the articles on which the claim is based. No claim under this section (except claims of processors under section 15 (a)) shall be disallowed on the ground that the tax with respect to the article or the commodity from which processed has not been paid.

(c) No refund under this section shall be made unless the claimant files a claim therefor prior to January 1, 1937, under rules and regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, and no claim shall be allowed in an amount less than \$10.

(f) No interest shall be allowed in connection with any refund made under this section.

(g) Section 16 (e) (1) of the Agricultural Adjustment Act, as reenacted by subsection (a) of this section, is amended by striking out "subsequent to June 28, 1934" and by inserting in lieu thereof "on or after June 1, 1934."

PAR. B. Section 603 of the Revenue Act of 1936 provides:

The proclamations, certificates, and regulations prescribed by the Secretary of Agriculture under the Agricultural Adjustment Act, as amended, in effect on January 5, 1936, insofar as not inconsistent with this Act, are hereby made applicable for the purpose of determining the amount of any refund or payment authorized under sections 601 and 602.

PAR. C. Section 10 (d) of the Agricultural Adjustment Act, as reenacted by section 601 (a) of the Revenue Act of 1936, provides:

The Secretary of the Treasury is authorized to make such regulations as may be necessary to carry out the powers vested in him by this title.

^{*} 49 Stat. 1648, 1739.

